

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CARPENTERS' DISTRICT COUNCIL	)	
OF GREATER ST. LOUIS AND	)	
VICINITY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 4:08-CV-00209 CEJ
	)	
P&K BUSINESS CORP.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

The Court has been notified that the defendant in this action, P&K Business Corporation, has filed for bankruptcy pursuant to Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* See In re: P&K Business Corporation, No. 08-40935 (Bankr. S.D. Ill.).

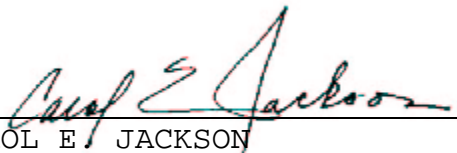
When a debtor files a petition for bankruptcy, an automatic stay goes into effect that bars, *inter alia*, the "commencement or continuation . . . of a judicial . . . action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title." 11 U.S.C. § 362(a)(1).

"The stay is automatic and mandatory with the filing of the petition . . . and therefore a motion for a stay need not be made" in the district court or the bankruptcy court. Ostano Commerzanstalt v. Telewide Systems, Inc., 790 F.2d 206, 207 (2d

Cir. 1986). Thus, the Court will enter an automatic stay in all further proceedings in this case during the pendency of the defendant's bankruptcy proceedings.

Accordingly,

**IT IS HEREBY ORDERED** that all proceedings in this action are **stayed** pending the completion of defendant's bankruptcy proceedings.

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 9th day of July, 2008.